

DETAILED ACTION

1. Acknowledgement is made of the amendment received on 01/02/10

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen Paul Mitchell on 3/9/10.

The application has been amended as follows:

- (1) Claim 10 (Cancelled);
- (2) Claim 11 (Cancelled);
- (3) Claim 12 (Cancelled);
- (4) Claim 15 (Cancelled);
- (5) Claim 22 (Cancelled);
- (6) In claim 16, line 3, delete **"and"** at end of the first paragraph (after (PN)codes;)
- (7) In claim 16, line 11, add **"and"** at end of the second paragraph (before "using");
- (8) In claim 21, line 9, change "the generation" to - - a generation - - ;
- (9) In claim 21, line 10, change "the entire spread spectrum codes is" to - -

entire spread spectrum codes is- - ;

(10) In claim 21, line 15, change "the next" to - - **a** next- - ;

(11) In claim 21, line 18, change "the adjacent . spread spectrum codes" to - -
the adjacent spread spectrum codes - - ;

(12) In claim 21, line 19, change "the multiple" to - - the **other** multiple - - ;

(13) In claim 23, line 10, change "the generation" to - - **a** generation - - ;

(14) In claim 23, line 11, change "the entire spread spectrum codes is" to - -
entire spread spectrum codes is- - ;

(15) In claim 23, line 15, change "an entire spread spectrum codes" to - - **the**
entire spread spectrum codes - - .

(16) In claim 23, line 20, change "the multiple" to - - the **other** multiple - - ;

Allowable Subject Matter

3 Claims 4-6, 16-21 and 23-24 are allowed.

4. The following is an examiner's statement of reasons for allowance: The prior art of record, Raphaelli et al (US 7463709), Van Driest (US 6115411) and APA do not teach *encode other multiple different transmit data values into the encoded transmit data stream by varying time spacing between the spread spectrum codes, wherein the other encoded transmit data values correspond to an amount of clock periods inserted by the slip encoder between a generation of adjacent spread spectrum codes so that generation of entire spread spectrum codes is completed and then time gaps of varying*

duration with no spread spectrum codes are inserted before starting generation of adjacent subsequently transmitted spread spectrum codes, where an entire total amount of the time gap from an end of transmission of the entire spread spectrum codes to a beginning transmission of a next subsequently transmitted adjacent spread spectrum code corresponds to one of the other multiple different transmit data values that is not spread spectrum encoded and different durations of the entire total time gap used between different pairs of the adjacent, spread spectrum codes represent different values for the other multiple different transmit data values.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wright (US 7519101) discloses method and apparatus for using empty time slots for spreading spectrum encoding; Margon (US 2004/0258131) discloses in fig. 4 a primary encoding (410) and a secondary encoding (420); Chen et al (US 6377645) discloses in fig. 1 a slip controller (400); Lohbihler (US 2006/0166681) discloses a method and apparatus for position sensing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Tayong whose telephone number is 571-270-

1675. The examiner can normally be reached on Monday-Friday 8:00 am to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Liu Shuwang can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helene Tayong/
Examiner, Art Unit 2611

3/8/10
/Shuwang Liu/
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